

**Testimony in on HB 4302: Support with Amendment
Presented to the Michigan House Committee on Judiciary**

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Chair Breen, Vice Chairs Edwards and Fink, and Distinguished Committee Members:

The Tahirih Justice Center (Tahirih) is a national legal advocacy and direct services organization, founded in 1997, that has assisted over 25,000 survivors of domestic violence, sexual assault, human trafficking, and other forms of gender-based violence.

Tahirih has unique legal and policy expertise in forced and child marriage in the United States. Through Tahirih's Forced Marriage Initiative, launched in 2011, we have worked on several hundred cases of forced marriage across the country. We have also compiled extensive research on child marriage in the United States, including a 50-state statutory compilation, an in-depth report that compares and analyzes all states' minimum marriage age laws and exceptions, a compilation of stories from survivors of child marriage in the United States, and a policy brief reflecting on progress made in the national movement to end child marriage since 2016.ⁱ

We strongly support the suite of legislation that ends child marriage in Michigan, but ask for a minor amendment to HB 4302. HB 4302 takes many important steps to ensure that marriage is not a legal defense to sexual assault, which we full support.

We are concerned, however, that marriage is struck as a punishable reason for taking or enticing a minor under age 16 away from their parents in Section 13. Here is the bill's current language:

Sec. 13. A person who takes or entices away a minor under the age of 16 years from the minor's father, mother, guardian, or other person having the legal charge of the minor, without their consent, for the purpose of prostitution, concubinage, ~~or marriage~~ or sexual intercourse ~~or marriage~~ is guilty of a felony punishable by imprisonment for not more than 10 years.

While this change will make sense in the context of Michigan alone should the state end child marriage, even in that scenario there will still be two states that set a minimum marriage age below 16, and six more that set no age floor at all. Even after Michigan

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ends child marriage, Michigan-resident minors under age 16 will remain vulnerable to forced child marriage in these eight states and may need to rely on Michigan law enforcement for protection.

For this reason, we ask the committee to amend HB 4302 by restoring the language in Section 13, so the statute reads as follows:

“Sec. 13. A person who takes or entices away a minor under the age of 16 years from the minor's father, mother, guardian, or other person having the legal charge of the minor, without their consent, for the purpose of prostitution, concubinage, sexual intercourse, or marriage is guilty of a felony punishable by imprisonment for not more than 10 years.”

With this minor amendment, the bill deserves the committee’s strong support.

We respectfully urge the Committee to amend and support HB 4302.

We have submitted separate testimony on related legislation as well: supporting HB 4293-4298 and 4300, supporting HB 4301 with minor amendments, and opposing HB 4299.

ⁱ A full copy of Tahirih’s 50-state report, along with other resources, is available at www.tahirih.org/childmarriagepolicy.